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October 14, 2019

VIA ELECTRONIC MAIL

Honorable Freda L. Wolfson, Chief Judge
United States District Court
Clarkson S. Fisher Building & US Courthouse
402 East State Street
Trenton, NJ 08608

Re: *In Re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation (MDL No. 2738)*

Dear Chief Judge Wolfson:

On October 7, 2019, the parties filed their respective Post-*Daubert* Summation Briefs. Appended to Defendants' Johnson & Johnson and Johnson & Johnson Consumer Inc.'s briefing was a separate 13-page document entitled Defendants' Amended Glossary of Technical Terms. The parties previously submitted separate Glossaries with the filing of the initial wave of *Daubert* motions and supporting briefs. The parties submitted separate Glossaries because they could not agree on the terms and definitions to be included in a joint submission. The parties had no discussion nor was there any agreement about the submission of an amended glossary of terms and definitions at this stage, and the Defendants unilaterally did so here without the agreement of the PSC or leave of Court authorizing the submission.

Notably, many of the terms and definitions included in Defendants' amended Glossary are argumentative and duplicative of those contained in Defendants' earlier submitted Glossary. In many instances, the terms used and definitions supplied come only from defense experts.

Moreover, many of the definitions provided by Defendants fail to define the terms in accordance with regulatory standards and guidelines, as well as the published literature. This is concerning because this is a continuation of conduct engaged in during the *Daubert* hearing where Defendants misused a draft IARC monograph to cross-examine a PSC expert regarding the definition and categorization of fibrous talc.

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The PSC therefore attaches as **Exhibit A** an amended version of its previously submitted Glossary (submitted to the Court and defense on May 20, 2019 and attached as **Exhibit B**), with newly amended terms asterisked and underlined. This Glossary provides correct definitions of terms referred to in the briefing.

Respectfully submitted,

/s/ Michelle A. Parfitt
Michelle A. Parfitt

/s/ P. Leigh O'Dell
P. Leigh O'Dell

cc: All Counsel